

3-6-02

A

03/04/02
J1165 U.S. PTO

Practitioner's Docket No. 19400/09014

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

JC979 U.S. PTO
10/091149
03/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Commissioner for Patents
U. S. Patent & Trademark Office
Post Office Box 2327
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Baokang Yang

CERTIFICATION UNDER 37 C.F.R. § 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Box Patent Application Commissioner for Patents, U S Patent & Trademark Office, Post Office Box 2327, Arlington, VA 22202

37 CFR 1.8a

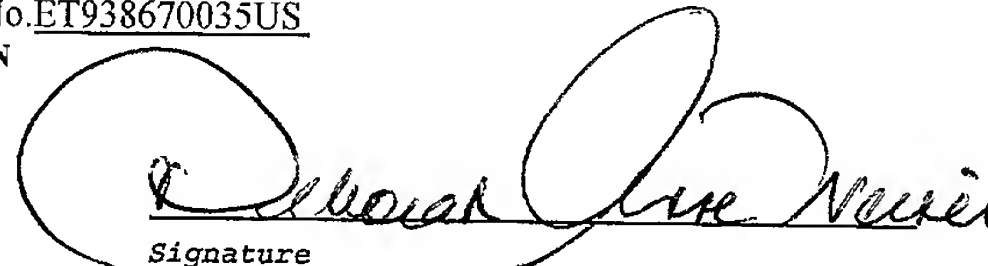
☐ with sufficient postage as first class mail

37 CFR 1.10

☒ as "Express Mail Post Office to Addressee" Mailing Label
No. ET938670035US

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, 703


Signature

Date: March 4, 2002

Deborah Anne Weiner
Type or print name of person certifying

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): JUICE BASED BEVERAGE COMPOSITIONS

1. Type of Application

This transmittal is for an original (nonprovisional) application.

2. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

31 Page(s) of Specification (including title page)

6 Page(s) of Claims

B. Other Papers Enclosed

1 Page(s) of abstract

3. Declaration or Oath

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

4. Inventorship Statement

The inventorship for all the claims in this application is the same.

5. Language

English

6. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

| CLAIMS AS FILED | | | | | |
|--|--------------|---------------------|--------------|----------|--------------------------------------|
| Claims | Number Filed | Basic Fee Allowance | Number Extra | Rate | Basic Fee 37 CFR 1.16(a) \$740.00 |
| Total Claims (37 CFR 1.16(c)) | 31 | - 20 = | 11 x | \$18.00 | \$198.00 |
| Independent Claims (37 CFR 1.16(b)) | 3 | - 3 = | 0 x | \$84.00 | \$0.00 |
| Multiple Dependent Claim(s), if any (37 CFR 1.16(d)) | | | + | \$270.00 | \$0.00 |

Filing Fee Calculation

\$938.00

7. Fee Payment Being Made at This Time

Enclosed

Filing Fee

\$938.00

Total Fees Enclosed

\$938.00

8. Method of Payment of Fees

Check in the amount of \$938.00 is attached.

9. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-1196.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

10. Instructions as to Overpayment

Credit Account No. 50-1196.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

11. Relate Back

Amend the specification by inserting, before the first line, the following sentence:

12. Maintenance of Copendency of Prior Application

A. Conditional Petition for Extension of Time in Prior Application

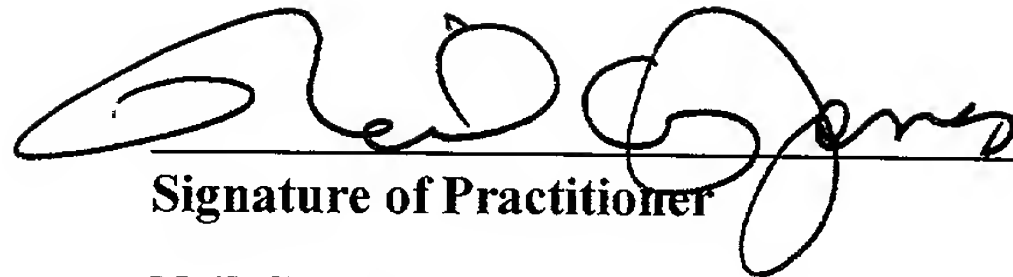
13. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date: March 4, 2002

Reg. No.: 35,561

Tel. No.: 864-250-2260



Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough LLP

Keenan Building, Third Floor

1330 Lady Street

Columbia, SC 29201

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | |
| Filing Date | 03/04/2002 |
| First Named Inventor | Baokang Yang |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 19400/09014 (MJ-749) |

TOTAL AMOUNT OF PAYMENT (\$) 938.00

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

| | |
|------------------------|------------------------------------|
| Deposit Account Number | 50-1196 |
| Deposit Account Name | Nelson Mullins Riley & Scarborough |

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 740 | 201 | 370 | Utility filing fee | 740.00 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 740.00

2. EXTRA CLAIM FEES

| Total Claims | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------------|---------|--------------|---|----------------|---|----------|--|
| 31 | -20** = | 11 | X | 18.00 | = | 198.00 | |
| 3 | -3** = | 0 | X | 84.00 | = | 0.00 | |
| Independent Claims | | | | | | | |
| Multiple Dependent | | | | | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim, if not paid |
| 109 | 84 | 209 | 42 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 198.00

**or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for ex parte reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|--|-----------------------------------|--------|-----------|---------------|
| Name (Print/Type) | Neil C. Jones | Registration No. (Attorney/Agent) | 35,561 | Telephone | (864)250-2260 |
| Signature |  | | | Date | 03/04/2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Baokang Yang

Application No.: _____ Group No.: _____

Filed: 3/4/2002 Examiner: _____

For: JUICE BASED BEVERAGE COMPOSITIONS

Box Patent Application

Commissioner for Patents

U. S. Patent & Trademark Office

Post Office Box 2327

Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

"Express Mail" label number ET938670035US

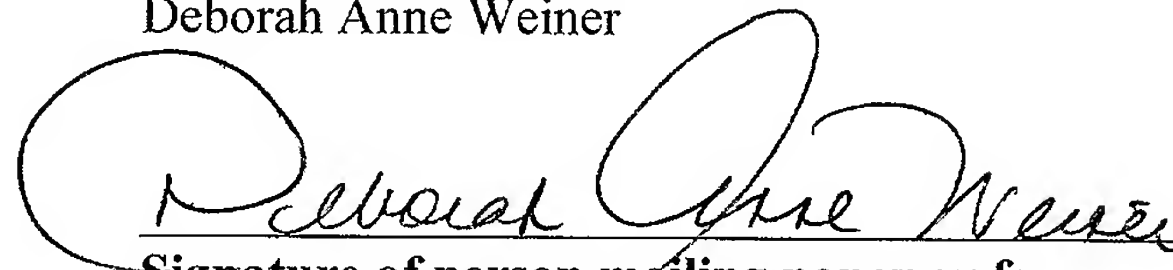
Date of Deposit 3/4/2002

I hereby state that the following *attached* paper or fee

1. Fee Transmittal Sheet (1 page);
2. New Application Transmittal Form (5 pages);
3. Patent Application, title page through abstract (38 pages);
4. Check in the amount of \$938.00 (1 page); and
5. Return Postcard (1 page).

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the Box Patent Application, Commissioner for Patents, U. S. Patent & Trademark Office, Post Office Box 2327, Arlington, VA 22202..

Deborah Anne Weiner



Signature of person mailing paper or fee